

**FILED**

DEC 31 2017

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CLERK, U.S. BANKRUPTCY COURT  
WEST DIST. OF PENNSYLVANIA

In re: : Case No.: 16-23164-GLT  
: Chapter: 11  
David W. Yurkovich :  
:   
:   
:   
Debtor(s). : Date: 11/30/2017  
Time: 10:00 a.m.

**PROCEEDING MEMO**

**MATTER:** # 88 - Con't Hearing on Disclosure Statement to Accompany Plan Dated 6/22/17  
# 89 - Con't Hearing on Confirmation of Ch.11 Plan dated 6/22/17  
# 94- Objection filed by the IRS  
# 95 - Summary of Ballots

**APPEARANCES:**

Debtor: David Fuchs  
I.R.S.: Jill Locnikar

**NOTES:**

Fuchs: Has nearly resolved the issue with the I.R.S. Does not think a stipulation is necessary--an amended proof of claim should conclude the matter.

Court: The point of the stipulation was that it would serve as consent to the plan.

Fuchs: In that case, a stipulation would be needed.

Locnikar: Patriot One is almost a no-liability case--the amount will be around \$1,400. No need for a stipulation except to provide consent. With respect to Yurkovich, the Debtor will be getting refunds offsetting all liability, which means the I.R.S. won't even be a creditor.

Court: Recommends a stipulation on the record resolving these issues with respect to class 4. As to the unsecured class, in Yurkovich, are you allowing NextWave's claim for voting purposes?

Fuchs: We agree NextWave has a claim and will file an amended schedule.

**OUTCOME:**

1. On or before December 7, 2017, the Debtor shall file an amended schedule with respect to the NextWave Enterprise, LLC.
2. On or before December 7, 2017 the I.R.S. shall file a stipulation or consent order stating it is no longer a class 4 creditor.
3. On or before December 7, 2017, Attorney Fuchs shall submit a proposed confirmation order.
4. The hearings on the disclosure statement [Dkt. No. 88] and plan confirmation [Dkt. No. 89] are continued to December 21, 2017 at 10:00 a.m. for tracking purposes. (Chambers to issue.)

**DATED:** 11/30/2017